
December 15, 2017

Press Release - For Immediate Release 3rd Probation Violation

Defendant's Name: VanMaanen, Dennis
Age: 44
City and State of residence: Sioux Falls, SD
Criminal File Number: 11-235
Original Incident Date: July 4, 2011
Original Indictment Date: August 11, 2011
Original Arraignment Date: August 29, 2011
Change of Plea Date: November 28, 2011
Convicted of: Possession of Controlled Substance (Methamphetamine), (F4) 22-42-5
Driving Under the Influence, (M1) 32-23-1(2)
Sentence Date: January 30, 2012

Probation Violation #1: 1) Admitted to the continued use of Meth; and
2) Failed to make meetings with his Court Service Officer.
Disposition / Sentencing: May 20, 2013

Probation Violation #2: 1) Failed to make meetings with his Iowa Court Service Officer.
Disposition / Sentencing: February 29, 2016

Probation Violation #3: 1) Failed and left treatment; 2) Absconded
Disposition / Sentencing: December 8, 2017

Original Case Synopsis:

On July 4, 2011 a concerned motorist called in a report of a vehicle that was driving erratically. The concerned motorist then advised that the erratic driver had stopped and was taking off his shirt. After being stopped the driver, identified as Dennis VanMaanen, immediately told the officer that his license was suspended. VanMaanen eventually admitted that he was using methamphetamine and that he should have turned around because he was not doing well. VanMaanen further admitted that he was under the influence of methamphetamine and failed his field sobriety tests which resulted in an arrest for Driving While Under the Influence and the Possession of Methamphetamine. VanMaanen provided a urine sample that was tested positive for methamphetamine at level of 30 ug/ml.

Probation Violation #1:

Dennis VanMaanen appeared for his routine meeting with his Court Service Officer and admitted to smoking Methamphetamine and marijuana. Dennis VanMaanen was a no call / no show for his scheduled appointment with his court service officer on January 22, 2013. The Court Service Officer went to VanMannen's residence, mailed him letters and as of the date of the filing of the probation violation, VanMannen is considered to have absconded.

Probation Violation # 2:

Dennis VanMaanen failed to make his meeting as scheduled by his Iowa Court Service Officer. VanMannen is considered to have absconded.

Probation Violation # 3:

The Defendant called on August 1, 2016, stating he had been kicked out of the Oxford House for not cleaning. His Court Services Officer spoke with the Oxford House President on August 4, 2016, who confirmed that not cleaning was part of the reason they were considering asking him to leave, but that Defendant was also behind on rent and had been gone from the house for a week and a half prior without verification of his whereabouts a few weeks prior. The Oxford House had scheduled a meeting to discuss whether Defendant would be asked to leave or not; however, Defendant left the house prior to the meeting.

The Defendant was a no call no show for his scheduled appointment on August 22, 2016. His CSO sent letters on August 23 and 31, 2016, instructing Defendant to call to reschedule his appointment. No calls were received during that time. The Defendant did call on September 8, 2016, to reschedule an appointment. His CSO called back and left a message. Defendant then called on September 12, 2016, and an appointment was scheduled for the following day. The Defendant was a no call no show on September 13, 2016, for his scheduled appointment.

Probation Violation #1 Sentencing:

AS TO THE CHARGE of **Ct. 1, Possession of a Controlled Substance, a violation of SDCL 22-42-5, a class 5 felony**, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Defendant shall be imprisoned in the Union County Jail for the term of **180** days, with 144 days credit for time served. The remaining **36** days shall be served as follows:

1. 36 days that were suspended shall be served in 60 days (February 5, 2018) from the date of sentencing if the Defendant has failed to pay all financial obligations;
2. Defendant shall obey all federal, state, tribal and local laws and be a good law-abiding citizen in all respects

IT IS FURTHER ORDERED that the Defendant shall pay the following amounts to the Union County Clerk of Courts (209 East Main Street, ~ Suite 230, Elk Point, SD 57025): Transportation Costs in the amount of Two Hundred Seventy (\$270.90) Dollars.

IT IS FURTHER ORDERED that the Defendant shall pay the following amounts Ordered by the Court – To the Union County Auditor (209 East Main Street, ~ Suite 200, Elk Point, SD 57025): **New** Court Appointed Attorneys Fees in the amount of Three Hundred Thirty-eight Dollars and Forty (\$338.40) Cents. It is further ORDERED that Union County is awarded a Judgment for said Court Appointed Attorney Fees and Prosecution Costs in this matter.

IT IS FURTHER ORDERED that the Defendant shall be dismissed from supervised probation unsatisfactory.

Criminal History Synopsis:

This is Dennis VanMaanen's 3rd probation violation on his first career felony conviction. VanMaanen has a long history of drug use issues and issues dealing with his failure to listen to the Court's recommendation and a history of not cooperating with Court Services. It would appear the VanMaanen has been involved with treatment three times prior to this offense and he failed to complete the ordered treatment in this file as well.